

Minutes
Catawba County Board of Commissioners
Regular Session, Tuesday, January 21, 2003, 7:00 p.m.

Agreements

Loan Agreement with Catawba Valley Community College (CVCC) to renovate space for the Higher Education Center	684	01/21/03
---	-----	----------

Appointments

Juvenile Crime Prevention Council	677	01/21/03
CVCC Board of Trustees	677	01/21/03

Budget

Amendments to the Fiscal Year 2002/2003 Budget due to State Budget Reductions	679	01/21/03
---	-----	----------

Chamber of Commerce, Catawba County

Joe D. Lutz, Manager Government and Community Affairs	677	01/21/03
---	-----	----------

College, Catawba Valley Community

Loan Agreement with Catawba Valley Community College (CVCC) to renovate space for the Higher Education Center	684	01/21/03
---	-----	----------

Commendation, Certificates of

Members of the Mountain View Small Area Planning Committee	676	01/21/03
--	-----	----------

County Government Week

Essay Contest Winners	675	01/21/03
-----------------------	-----	----------

FORESIGHT

Steering Committee Update	676	01/21/03
---------------------------	-----	----------

Guest

Joab Cotton, member, Hickory Public School Board of Education.	675	01/21/03
Ms. Carolyn Stewart, 2276 Recycling Road, Conover	675	01/21/03
Ms. Lucy S. Lail, 4162 Mark Trail Court, Claremont	675	01/21/03
County Government Week Essay Contest Winners	675	01/21/03

Planning Department

Certificates of Commendation to members of the Mountain View Small Area Planning Committee	676	01/21/03
--	-----	----------

Schools

County Government Week Essay Contest Winners	675	01/21/03
--	-----	----------

Social Services

Community Child Protection Team 2002 Annual Report	678	01/21/03
--	-----	----------

Tax Office

Refund Requests	677	01/21/03
-----------------	-----	----------

The Catawba County Board of Commissioners met in regular session on Tuesday, January 21, 2003, 7:00 p.m., at the 1924 Courthouse, Robert E. Hibbitts Meeting Room, 30 North College Avenue, Newton, North Carolina. (Note: The change from the Board's normal meeting day of Monday was due to County Offices being closed on the third Monday in January for the Martin Luther King, Jr. Holiday.)

Present were Chair Katherine W. Barnes, Vice Chairman Dan A. Hunsucker, Commissioners Glenn E. Barger, Barbara G. Beatty, and Lynn M. Lail.

Absent: None.

A quorum was present.

Also present were County Manager/Deputy Clerk J. Thomas Lundy, Deputy County Manager Steven D. Wyatt, County Attorney Robert Oren Eades, Staff Attorney Debra Bechtel, and County Clerk Thelda B. Rhoney.

1. Chair Barnes called the meeting to order at 7:00 p.m.
2. Invocation offered by Commissioner Barger.
3. Commissioner Hunsucker made a motion to approve the minutes from the regular session and closed session of Monday, December 16, 2002, and special session of Thursday, January 9, 2003. The motion carried unanimously.

4. Special Guests and Public Comment:

a. Special Guest:

Chair Barnes recognized Joab Cotton, member, Hickory Public School Board of Education.

b. Public Comment:

1. Ms. Carolyn Stewart, 2276 Recycling Road, Conover addressed the Board. She had problems with a neighbor firing weapons. She also had problems with employees of a nearby business using a dirt road that her neighborhood maintains.
2. Ms. Lucy S. Lail, 4162 Mark Trail Court, Claremont also addressed the Board. She was having problems with vicious animals in her neighborhood.

Chair Barnes said the Board would take Ms. Stewart's comments and Ms. Lail's comments under advisement.

5. Presentations:

a. County Government Week Essay Contest Winners:

Commissioners Barger and Lail assisted Public Information Officer Dave Hardin in recognizing winners of the recent County Government Week Essay Contest, sponsored by the County and by the Bank of Granite, BB&T, First Citizens Bank and People's Bank, which provided United States Savings Bonds that were awarded as prizes. The contest was a part of County Government Week, held from December 8-13, 2002. Children in four age categories were invited to write essays on the theme, "Why I like calling Catawba County home." The divisions included kindergarten through 3rd grade, 4th and 5th grades, 6th through 8th grades, and high school. No entries were received on the high school level. Certificates and \$75 Savings Bonds were awarded to the first place winners in each division, and certificates and \$50 Savings Bonds were awarded to the second and third place winners. The winners were as follows:

K-3rd grade

First place: Anna Taylor, 2nd grade, St. Stephens Elementary
Second place: Ann Warner, 3rd grade, Clyde Campbell Elementary
Third place: Abby Foster, 3rd grade, Clyde Campbell Elementary

4th-5th grade

First place: Sara Toomey, 4th grade, Thornton Elementary
Second place: Cody McRee, 4th grade, Balls Creek Elementary
Third place: Savanna Sherrill, 4th grade, Balls Creek Elementary

6th-8th grade

First place: Patrick Rhoney, 6th grade, St. Stephens Elementary
Second place: Katelyn Byers, 8th grade, H.M. Arndt Middle School
Third place: Elizabeth Jones, 8th grade, H.M. Arndt Middle School

- b. Presentation of Certificates of Commendation to Members of the Mountain View Small Area Planning Committee.

Chair Barnes and Commissioner Hunsucker presented Certificates of Commendation to the following members of the Mountain View Small Area Plan Committee: Debbie Pitts, chairperson; Steve Von Drehle, Planning Board liaison; Paul Fleetwood; Larry Johnson; Jeanette Ringley and Wade Scronce. These citizens worked hard over almost two years to create a plan for the future growth and development of their area, one of seven such plans currently being created in the county.

Certificate of Commendation

Citation:

In recognition of significant and valuable contribution to the betterment of Catawba County, and specifically the Mountain View area, through the development of the Mountain View Small Area Plan. This certificate recognizes your dedicated and loyal service on the Mountain View Small Area Plan committee which met from March 2000 through adoption of the plan in October 2002. You tirelessly gave of your time and energy to develop a plan for the overall growth and development of the Mountain View area, which will be used as a blueprint for the next 15-20 years. You embraced the overall purpose and importance of planning and engaged citizens of the area to actively participate in the planning process.

/s/ Katherine W. Barnes, Chair
Catawba County Board of Commissioners

Planner Mary George said the aforementioned citizens worked hard over almost two years to create a plan for the future growth and development of their area, one of seven such plans currently being created in the county. The Board of Commissioners approved a final version of the Mountain View Small Area Plan in October 2002.

- c. FORESIGHT Steering Committee -- Chairman Phil Null, Vice Chairman Carl Matheson, and Members.

Mr. Phillip Null, Chairman of the FORESIGHT Steering Committee said they have been meeting for a year, the homework has been voluminous, the meetings have been intense, and the debate has been healthy and productive. Technology advances have been most helpful. The loss of manufacturing jobs in Catawba County and converting to a service economy created an urgency for many of the meetings. They also had extra meetings because of school facility needs. They examined extensive data sets for population, workforce, commercial and industrial growth, education, infrastructure, housing, environment, income, and spending. From the data they identified four areas of primary issues.

Mr. Matheson, Vice Chairman of the FORESIGHT Steering Committee briefly mentioned the mission statement. He reviewed the following four primary issues:

1. Education - Look at K-12 to begin and improve importance and appreciation of education, teachers, and administration to set goals that are measurable for attainment for our schools. Examine and evaluate strategies used in communities in high attainment and other areas to improve or suggest improvement to and for education.
2. Environment - Consider decisions from outside of Catawba County and from within on land use, sewer, water supply, quality of water supply, affect of planned infestation and pollution on our lakes, and concern over possible non attainment of air quality by the EPA.

3. Leadership and Political Action - Bipartisan efforts needed to better position Catawba County for grants, appointments to boards/commissions, develop new leadership, and to increase public and corporate participation and initiatives.
4. Economic Development and Jobs - Jobs and the economy along with education are the overriding issues to be considered; preservation of exist industry and the recruitment of new employers; education of workforce; incentives for recruitment must be considered to bring new industry; and development of metrics to measure the success of the plan such as job growth, unemployment, per capita income, and competition with areas we compete with.

Mr. Null said they were in the final stages for nominating, recruiting and assigning members to the four task forces and the chair and vice chair are already in place. On Feb 6, 2003, the committee will have a kick-off event after which the task forces will begin work. The process will take approx 8 months. They should have an interim report by May 2003 and hope to publish a final report by September or October 2003. He said the primary concern was to maintain or improve the quality of life and preserve Catawba County's entrepreneurial spirit, and to create the best economic opportunity for all citizen are the primary concerns.

He commended the Board of Commissioners for cosponsoring the Priority 1, Economic Summit held earlier this day.

Chair Barnes thanked Mr. Null and Mr. Matheson for their time and efforts.

Commissioner Barger commended Mr. Null and Mr. Matheson for their work on the FORESIGHT Committee.

- d. Mr. Joe D. Lutz, Manager Government and Community Affairs, Catawba County Chamber of Commerce.

Mr. Lutz addressed the Board and said his office will be a resource for information, feedback, support and assistance to local businesses in their relationship with government. The business members of the Chamber recognize the responsibility to participate in the public policy process, and interest of business people in the governmental process has been short-lived. They hope to participate on a more regular basis by attending meetings, follow decisions, and deliberations more closely. The Chamber hopes to nurture the existing partnership with all local governments in Catawba County. They want to encourage more business people to serve at a higher level on boards and commissions that the Board of Commissioners rely on to do the job of the County. He pledged the Chamber's support.

6. Appointments:

Juvenile Crime Prevention Council

Appointment of Dr. Charles Adair (replacing Jay Bajorek) to fill the Business Community Representative for a term ending June 30, 2003, and a first term beginning July 1, 2003, and ending June 30, 2005, and the appointment of Captain Steve Lail (replacing Laurie Dial) as the Sheriff's Representative for a first term which will expire June 30, 2005.

CVCC Board of Trustees

Appointment of Charles R. Preston to fill the unexpired term of Alex Williams (deceased). The term will expire June 30, 2006.

Commissioner Barger made a motion to approve the aforementioned appointments. The motion carried unanimously.

7. Consent agenda:

County Manager J. Thomas Lundy presented the following consent agenda items:

- a. Tax Refund Requests.

Three refund requests totaling \$756.31 was made to the Tax Office. The records were checked and these refunds verified. The Tax Collector requested approval of the refund requests.

According to General Statute 105-381, a Taxpayer who has paid his taxes may request a refund (in writing) for the amount that was paid through error.

Refund Requests
January 21, 2003

Beard, Philip Darren + Robin B., 3327 Water Plant Road, Maiden, NC 28650, Account No. 000129865
PIN 3667-01-36-9938.0000

It was discovered that Mr. and Mrs. Beard's 19.90 acres, which is under the farm use program, was incorrectly billed for 2001 at market value instead of farm use value. Since these 2001 taxes have been paid, a refund is requested for the applicable overpayment of taxes. The 2002 tax bill was corrected before being paid.

County				Bandys		
<u>Year</u>	<u>Value</u>	<u>Rate</u>	<u>Tax</u>	<u>Rate</u>	<u>Tax</u>	<u>Total</u>
2001	41,000	.495	202.95	.039	15.99	\$218.94

Bumgardner, Melvin Ray, 409 S Brady Avenue, Newton, NC 28658-3403, Account No. 8517500

Mr. Bumgardner appealed the valuation placed on his 1989 Plymouth Voyager for 2002 taxes. This vehicle was wrecked. Damages exceeded market value and vehicle is now parked. The value was adjusted and a refund is requested for the overpayment made for 2002 taxes.

County Newton Rural				Late-List				
<u>Year</u>	<u>Value</u>	<u>Rate</u>	<u>Tax</u>	<u>Rate</u>	<u>Tax</u>	<u>Penalty</u>		<u>Total</u>
2002	2,200	.495	10.89	.056	1.23	10%	1.21	\$13.33

Mull, Richard T., 4955 Ridgeland Drive, Hickory, NC 28602, Account No. 048918640
3701-05-08-4120.0000 00 PTC 71

PIN

This parcel was appealed to the Property Tax Commission in Raleigh for 2000. Due to several delays and postponements, and after the death of the taxpayer's initial attorney, the taxpayer and his new attorney have accepted the County's proposal to resolve his property tax appeal. As a result, the Property Tax Commission has closed their file relative to this appeal. The compromise settlement places a valuation of 430,600 upon the residence for 2003. This is an adjustment of 36,500 on his property. Because the tax bills have already been paid in full for 2000, 2001, and 2002, a refund is requested for the following:

County				
<u>Year</u>	<u>Value</u>	<u>Rate</u>	<u>Tax</u>	<u>Total</u>
2000	36,500	.495	180.68	\$180.68
2001	36,500	.495	180.68	180.68
2002	36,500	.495	180.68	180.68
Total				\$ 542.04 *

* This is in the City of Hickory.

b. Community Child Protection Team 2002 Annual Report.

COMMUNITY CHILD PROTECTION TEAM
2002 ANNUAL REPORT

The Catawba County Child Protection Team was established on February 11, 1992, as the result of a gubernatorial executive order by Governor James Martin. Later, North Carolina mandated a Child Fatality Review Team and Catawba County elected to combine the two with a first joint meeting in August 1995. The combined teams have met quarterly since its inception, except for specially called meetings.

The Child Protection Team has the legal responsibilities for reviewing cases of child fatalities when the family is known to the Department of Social Services and identification of areas in Protective Services needing improvement in order to maximize the safety of the community's children. The Child Fatality Team's purpose is to provide a multi-agency, multi-disciplinary approach to study cases of childhood death in Catawba County in order to attempt to reduce child fatalities. The local directors of Social Services and Public Health have specific responsibilities for each team and the Board of County Commissioners decides if there will be a team for each area or if they will be combined. Although they

are combined in Catawba County, this report addresses the work of the Community Child Protection Team.

From its inception, the Catawba County Protection Team focused on systemic issues. Some selected child abuse and neglect cases were reviewed for the purposes of understanding systemic issues and recommending or causing necessary changes to be made. Over the course of the Child Protection Team, areas given strong focus and consideration regarding systemic issues are as follows:

- Child Sexual Abuse Protection
- Training and Abuse Prosecution in Criminal Investigations
- Referral for Protective Services from Physicians
- Foster Care Treatment Emergency Protocol for Sexual Victimization
- Child Sexual Abuse Intervention Protocol
- Un-Regulated Day Care Considerations
- Interagency Communications
- Medical Examinations for Children in Social Services' Care
- Review of all child fatalities in which the case was active with Social Services
- Reviewed all child fatalities in Catawba County since the inception of the Child Fatality Team
- Legislation to increase the age of consent from 13 to 16 in North Carolina
- Statewide marketing of the age of consent legislation by Social Services, Council on Adolescence and Concerned Citizens for Responsible Parenting
- Support of the Safe Kids Coalition
- Reviewed the findings of the Tri-County Child Advocacy Planning Team
- Supported the establishment of a Child Advocacy Center
- Participated in the Child Protection Service Community Planning Initiative
- Participated in the Catawba County Minimum Standards of Child Care
- Created a systemic venue to link women at risk to Faith Community and Mentoring Family
- Supported the Sheriff Department's Trigger Locks Program
- Endorsed the Child Protection Community Standards
- Supported a Defensive Driving Course in addition to regular Driver Education
- Supported Project Home Safe
- Reviewed the Children's Protection Council Strategic Initiative
- In order to reduce the deaths of teenagers in automobile crashes, supported a bill to limit the number of passengers riding with a Level 2 driver
- Identified a high correlation among infant fatalities and substance abusing caretakers
- Helped improve the relationships among professional workers dealing with prenatal and postpartum patients regarding Laws of Confidentiality
- Established subcommittees that continue to work on removing barriers to provide effective services to prenatal patients and their newborns
- Supported the Child Bicycle Safety Act by distributing bike helmets to children
- Caused a community-wide SIDS Training
- Reviewed and supported the Infant Abandonment Legislation
- Supported stronger communication between the Medical Examiner and law enforcement including training

The Community Child Protection/Child Fatality Team is an effective one with the utilization of the systemic approach. Additional efforts have been made during the year to review additional individual case records in order to satisfy the State's agreement with the Federal Government to use Child Protection Teams as a review mechanism in the Child Protective Services arena. The commitment of team members, their advocacy and dedication to improving the lives of citizens of Catawba County has been a most worthwhile effort.

North Carolina requires reporting to the Board of County Commissioners on the work of the teams. This annual report is to update and keep the Board informed on the historical work of the Team.

Commissioner Barger made a motion to approve the Consent Agenda. The motion carried unanimously.

End Consent Agenda

8. Departmental Reports:

a. Budget:

1. Amendments to the Fiscal Year 2002/2003 Budget due to State Budget Reductions.

Budget Manager Judy V. Ikerd said the State budget eliminated payments to the Public School Building Capital Fund which were part of the proceeds from the State corporate income tax creating a loss of \$1 million dollars in the capital fund for public school construction and renovation.

The County's fiscal year budget for 2002/2003 was adopted prior to adoption of the State's budget and included the County's share of State reimbursements for inventory and intangibles taxes and homestead exemption payments as well as sales taxes on food stamps. Since we were unsure if the State budget would include these reimbursements each department was asked to identify and implement reductions in the amount of 7% as part of their 2002/2003 budgets. These included the reduction of approximately 19 positions; cuts in funding for part-time and temporary help; reduced operating budgets for items including supplies, equipment, travel and training; the reduction in service hours for parks, libraries, and the animal shelter; program cuts in public relations areas; and the closing of a nutrition site for a total of \$2,040,842. In addition monthly allotments to the schools, CVCC, and outside agencies were reduced by \$2,081,434 to make up for the possible loss of these State revenues.

The General Assembly passed legislation authorizing an increase in the sales tax to 7 cents giving counties an additional half-cent sales tax to replace the inventory and intangibles reimbursements to local governments eliminated by the State. The Board of Commissioners took action in October to increase the sales tax by a half-cent effective December 1, 2002. Since the County will only realize 7 months of revenue from the new sales tax this fiscal year, the exchange of these revenue sources leaves the County with a \$1.4 million revenue deficit.

The financial pressures of the past two years brought about by the State budget deficit, Medicaid increases, and the down turn in our sales tax receipts and investment earnings have forced us to rethink what services are critical and what we can do without. Even with the new half-cent sales tax we continue to have financial uncertainty due to the State's ongoing budget problems and the national economy. Therefore, a decision was made not to restore budgets to the previous spending levels but instead take a cautious approach by keeping expenditures at a reduced level for this fiscal year. Exceptions will be made to restore funds for some critical expenditures such as replacing high mileage vehicles for the Sheriff's Department and Tax Office.

As a result of the State's actions that reduced local revenue, staff recommended that the Board approve a budget amendment reducing expenditures for County departments, schools, CVCC, and outside agencies for a total of \$4.1 million. On the revenue side we request that the FY 2002/03 budget be amended to reflect the elimination of \$4.1 in State reimbursements, and the State's reduction in funding of the Public School Building Capital Fund of \$1 million. Staff requests that the projected revenue from the new 1/2-cent sales tax of \$2.6 million be added and remain substantially unearmarked pending State budget decisions.

County Manager J. Thomas Lundy reiterated comments made by Ms. Ikerd. He said this is the second year staff has asked the Board to reduce the budget due to the state withholding money. He said the County's operating budget is 13 percent less than two years ago. The state has taken away \$5.1 million. Catawba County received \$2.6 million, estimate on sales tax revenue, leaving a \$2.5 million less in the current budget. Mr. Lundy said no one knows what the General Assembly will do as it goes back into session this month. The County is taking a cautious approach.

Mr. Lundy said there is now a requirement before a reduction can be made in funds given to schools. Reductions must be held at a public meeting and the public schools staff must be given an opportunity to comment if they chose to do so. Mr. Lundy said in compliance with the law, he notified all three superintendents earlier this month that the Board would be taking action at the January 21, 2003 meeting.

After a brief discussion, Commissioner Lail made a motion to approve the aforementioned budget amendments to the FY 2002-03 Budget. The motion carried unanimously.

b. County Manager's Office:

1. Loan Agreement with Catawba Valley Community College (CVCC) to renovate space for the Higher Education Center. (Copy of Agreement on file in the Office of the County Manager.)

Deputy County Manager Steven D. Wyatt said Staff requests approval of the a loan agreement with CVCC to provide an adequate facility for the Hickory Metro Higher Education Center (HMHEC) at the East Campus. A supplemental appropriation of \$350,000 is required.

County staff has been working with representatives of the three institutional partners that comprise the HMHEC Board of Directors, Lenoir-Rhyne, CVCC, and Appalachian State University to develop and implement the Higher Education Center concept. One major issue is that of locating and acquiring quality housing for HMHEC operations. Several scenarios were considered during the past six (6) months, culminating in a unanimous vote of the Board of Directors to locate the operation at the CVCC East Campus under certain conditions mandated by the needs of the center.

Primarily these needs include a minimum of 14,000 square feet configured into eight (8) classrooms with a seating capacity of thirty (30) students per classroom, for a total capacity of 240 students at any given time. Further needs include office space for the three full institutional partners, CVCC, L-R and ASU, office space for the center director, reception, vending and commons study area, office space for other institutional partners as programming grows and of course adequate restroom capacity. Furthermore, the Board of Directors requested that the exterior of the building be upgraded in a manner reflective of the status of the center as an inducement to the recruitment of students and other participating learning institutions.

The CVCC Board of Trustees has agreed to provide this space plus electricity, heating and air conditioning, security, maintenance and cleaning at a cost of \$6.00 per square foot. However, to up fit the space CVCC requires financial assistance of \$350,000. This funding will enable CVCC to renovate the facility to provide the amenities as described and also upgrade the exterior appearance in a manner fitting the importance of this facility, by the target date of May 1, 2003.

In return for this financial assistance, CVCC will work with the HMHEC partner institutions to implement the higher education concept as outlined in the attached agreement. Upon successful implementation and pay down of the loan by \$200,000, staff recommends the remaining balance of \$140,000 be forgiven as a contribution to the success of the center.

Staff recommended the Board approve the loan agreement with CVCC to facilitate the establishment of the HMHEC of the CVCC east campus and the budget appropriation to CVCC of \$350,000 as follows:

Supplemental Appropriation

To:

CVCC/Hickory Metro Higher Education Center
420-750100-862200-34100-2-03

\$350,000

From:

Schools Capital Fund Balance
420-750050-690100

\$350,000

After a lengthy discussion, Commissioner Barger made a motion to approve the Loan Agreement with Catawba Valley Community College (CVCC) to renovate space for the Higher Education Center and the transfer of funds for the project. The motion carried unanimously.

9. Attorneys' Report. None.
10. Manager's Report. None.
11. Other items of business. None.

12. Adjournment.

At 8:03 p.m., there being no further business to come before the Board, Commissioner Hunsucker made a motion to adjourn. The motion carried unanimously.

Katherine W. Barnes, Chair
Catawba County Board of Commissioners

Thelda B. Rhoney
County Clerk